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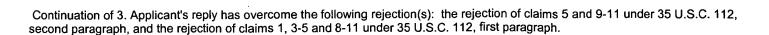
UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/478,621	01/05/2000	Stephen E. Epstein	674522-2001	1917	
20999	7590 08/20/2002				
FROMMER LAWRENCE & HAUG			EXAMINER		
745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151			JIANG,	JIANG, DONG	
			ART UNIT	PAPER NUMBER	
			1646	16	
			DATE MAILED: 08/20/2002	, -	

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)				
Advisory Action	09/478,621	EPSTEIN ET AL.				
Authory Modell	Examiner	Art Unit				
	Dong Jiang	1646				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address						
THE REPLY FILED 09 August 2002 FAILS TO PLACE T Therefore, further action by the applicant is required to av final rejection under 37 CFR 1.113 may only be either: (1) condition for allowance; (2) a timely filed Notice of Appeal Examination (RCE) in compliance with 37 CFR 1.114.	oid abandonment of this application at the control of the control	ation. A proper reply to a				
PERIOD FOR RE	PLY [check either a) or b)]	•				
<ul> <li>a)  The period for reply expires 3 months from the mailing date</li> <li>b)  The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire is ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS 706.07(f).</li> <li>Extensions of time may be obtained under 37 CFR 1.136(a). The</li> </ul>	Advisory Action, or (2) the date set forth ater than SIX MONTHS from the mailin FILED WITHIN TWO MONTHS OF TH	g date of the final rejection. HE FINAL REJECTION. See MPEP				
fee have been filed is the date for purposes of determining the period of fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the context (2) as set forth in (b) above, if checked. Any reply received by the Office timely filed, may reduce any earned patent term adjustment. See 37 C	If extension and the corresponding amo the shortened statutory period for reply be later than three months after the mail	unt of the fee. The appropriate extension originally set in the final Office action; or				
1. A Notice of Appeal was filed on Appellant's 37 CFR 1.192(a), or any extension thereof (37 CFF						
2. The proposed amendment(s) will not be entered be	ecause:					
(a) they raise new issues that would require further consideration and/or search (see NOTE below);						
(b) they raise the issue of new matter (see Note b	elow);	•				
<ul><li>(c) ☐ they are not deemed to place the application ir issues for appeal; and/or</li></ul>	n better form for appeal by mate	rially reducing or simplifying the				
(d) they present additional claims without canceling NOTE:	ng a corresponding number of fi	nally rejected claims.				
3. Applicant's reply has overcome the following rejection	on(s): <u>See Continuation Sheet</u> .	•				
4. Newly proposed or amended claim(s) would canceling the non-allowable claim(s).	be allowable if submitted in a se	eparate, timely filed amendment				
5.⊠ The a) affidavit, b) exhibit, or c) request for application in condition for allowance because: See		dered but does NOT place the				
6. The affidavit or exhibit will NOT be considered becaraised by the Examiner in the final rejection.	ause it is not directed SOLELY to	o issues which were newly				
7. For purposes of Appeal, the proposed amendment explanation of how the new or amended claims wo						
The status of the claim(s) is (or will be) as follows:						
Claim(s) allowed:						
Claim(s) objected to:						
Claim(s) rejected: <u>1,3-5 and 8-11</u> .						
Claim(s) withdrawn from consideration: <u>12-17</u> .		<b>k</b>				
8. The proposed drawing correction filed on is a	a)☐ approved or b)☐ disapp	roved by the Examiner.				
9. Note the attached Information Disclosure Statemen	t(s)( PTO-1449) Paper No(s)	<u> </u>				
10. Other:						
	P	ORRAINE SPECTOR  RIMARY EXAMINER				

U.S. Patent and Trademark Office PTO-303 (Rev. 04-01) 15.



Continuation of 5. does NOT place the application in condition for allowance because: the prior art rejection of claims 1, 3-5, and 8-11 under 35 U.S.C. 103(a) as being unpatentable over Inoue et al. (Circulation, Nov. 1998, 98(20): 2108-16), and Maisonpierre et al. (Science, July 1997, 277:55-60), in view of Kendall et al. (US 5,712,380), and Asahara et al. (Circ. Res., 1998, 83: 233-240), is maintained for reasons of record set forth in the previous Office Actions, paper Nos. 9 and 13, and the reasons below.

Applicants argument has been fully considered, but is not deemed persuasive because, while applicant indicates what each reference does not teach, the cited references in combination render the instant invention obvious.

In particular, it is known in the art that angiogenesis occurs in human coronary atherosclerosis, and Inoue further demonstrates the presence of microvessels in atherosclerotic plaques. In addition, Inoue teaches the involvement of VEGF in atherosclerosis, and VEGF is a key mediator of neovascularization associated with a variety of disorders.

Kendall teaches a soluble VEGFR useful for treatment of pathological aniogenesis present in a variety of disorders and conditions besides tumor growth. Such conditions would include atherosclerosis.

Maisonpierre teaches that ang-2 can antagonize the effect of ang-1 on vessel maturation and stabilization, and that therapeutic manipulation of vessel growth is likely to require simultaneous regulation of both VEGF and angiopoietin systems.

Asahara teaches that ang-2 + VEGF promote neovascularity, indicating inhibiting both would reduce neovascularity.

Therefore, the cited references in combination provide clear logic for one of ordinary skill in the art to make a composition as claimed, and use it in a method of treating atherosclerosis or restenosis as claimed.

Continuation of 7: the rejection of claims 1, 3-5, and 8-11 under 35 U.S.C. 103(a) is maintained for reasons set forth in item 5 above.